

Regular Session, 2011

HOUSE BILL NO. 507

BY REPRESENTATIVES LANDRY, CORTEZ, EDWARDS, HARDY, HONORE,  
LEGER, NORTON, AND ST. GERMAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOL BUS DRIVERS: Provides relative to school bus driver qualifications and related matters

1 AN ACT

2 To amend and reenact R.S. 32:408(B)(3)(f) and 414.2(E)(1)(introductory paragraph) and  
3 (2)(introductory paragraph) and (c), relative to commercial driver's license holders;  
4 to prohibit certain persons from operating school buses; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:408(B)(3)(f) and 414.2(E)(1)(introductory paragraph) and  
8 (2)(introductory paragraph) and (c) are hereby amended and reenacted to read as follows:

9 §408. Examination of applicants required; classes of licenses

10 \* \* \*

11 B.

12 \* \* \*

13 (3) The department shall issue endorsements for commercial drivers' licenses  
14 if applicants for such endorsements pass the appropriate knowledge and skills tests  
15 necessary for issuance of the endorsement and if the applicant passes any requisite  
16 security assessment for issuance of a particular endorsement. However, if an  
17 applicant for an endorsement is eligible for a waiver of the test requirements  
18 pursuant to any applicable federal waiver program implemented by the department  
19 at the time the applicant applies for the endorsement, the department shall issue the

endorsement to the applicant. A federal waiver program may be implemented at the department's discretion. The following endorsements shall be available to the classes of commercial drivers' licenses:

\* \* \*

(f) "S"-school bus. This endorsement shall be denied or canceled if the applicant is disqualified in accordance with R.S. 32:414.2(E).

\* \* \*

§414.2. Commercial motor vehicle drivers; disqualification; issuance of Class "D" or "E" license; alcohol content in breath and blood; implied consent

\* \* \*

E.(1) Unless a longer suspension or disqualification period is provided for in Subsections A through D of this Section, a commercial driver's license applicant or holder shall be disqualified from operating a school bus for a period of ten years for the following:

\* \* \*

(2) ~~The disqualification period imposed by this Subsection may be reduced~~  
Upon application of the driver, the department may reinstate the "S" endorsement if the driver meets all of the following conditions:

\* \* \*

(c) The driver has successfully completed medical treatment or medically approved group therapy or special education courses for or about the disease of alcoholism, alcohol abuse, or drug abuse, in a suitable public or private institution or program approved by the appropriate state authority following the disqualifying offense or refusal.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Landry

HB No. 507

**Abstract:** Prohibits DPS&C from issuing an "S" endorsement to certain persons and provides for modifications in mechanism by which persons can qualify for an "S" endorsement after disqualification period.

Present law provides that an "S" endorsement may be issued to an applicant who would have been disqualified from driving a school bus for certain convictions or violations relating to driving under the influence had he had an "S" endorsement at the time of the conviction or violation.

Proposed law provides an applicant shall not be issued an "S" endorsement if he has certain convictions or violations relating to driving under the influence prior to the date of application for the "S" endorsement.

Present law reduces disqualification period after, among other conditions, completing medical treatment or medically approved group therapy or special education courses for or about the disease of alcoholism, alcohol abuse, or drug abuse.

Proposed law clarifies that the treatment or group therapy required by present law must be completed after the disqualifying offense and that an endorsement shall be denied or canceled if the applicant is disqualified for conviction of driving under the influence of alcohol or a controlled substance while operating a commercial vehicle or a noncommercial motor vehicle or refuses to submit to a chemical test for the purpose of determining the alcoholic content of his blood when arrested for an offense arising out of acts alleged to have been committed while the driver was driving or in actual physical control of a commercial motor vehicle or noncommercial motor vehicle while believed to be under the influence of alcoholic beverages or a controlled substance.

(Amends R.S. 32:408(B)(3)(f) and 414.2(E)(1)(intro. para.) and (2)(intro. para.) and (c))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Made technical changes.
2. Provided that an "S" endorsement shall be denied or cancelled if an applicant is disqualified after being convicted of driving under the influence of alcohol or a controlled substance while operating a commercial vehicle or a noncommercial motor vehicle or refuses to submit to a chemical test for the purpose of determining the alcoholic content of his blood when arrested for an offense arising out of acts alleged to have been committed while the driver was driving or in actual physical control of a commercial motor vehicle or noncommercial motor vehicle while believed to be under the influence of alcoholic beverages or a controlled substance.